

Older Americans Act Disaster Relief Flexibilities				
Authority	Types of Changes Allowable	Requires Public Health Emergency ¹	Requires State Major Disaster Declaration ²	Effective Dates
Older Americans Act (OAA) Sec. 310(c)	This provision provides states with maximum flexibility to ensure the health and safety of individuals during an emergency. States may use any OAA funds as disaster relief for older individuals. States do not need to request transfer authority prior to utilizing this flexibility. An example would be utilizing funding for grocery delivery, wellness checks, or other interventions that support older adults sheltering in place during the COVID Pandemic. This flexibility applies to any available funding, including unspent funds from prior years (Federal Fiscal Year [FFY]2018, 2019) and from current FFY2020, Families First Corona Virus Response Act (FFCRA), and Coronavirus Aid, Relief, and Economic Security Act (CARES) Act funds.		X	The duration of each individual state's disaster declaration.
CARES Act Sec. 3222(b)	Provides states with flexibility to transfer up to 100% of OAA nutrition funds funded through Title III-C1 (congregate) and III-C2 (home-delivered) meals program. Only applies to current year (FFY2020) funding and any additional Title III funding awarded during the public health emergency. Because CARES Act FFCRA appropriations were provided as supplemental Title III appropriations, this flexibility applies to those funds as well. States do not need to request prior approval to implement these transfers, however States need to report the transfers to the Administration for Community Living (ACL) to receive a new Notice of Award reflecting the transfer.	X		The duration of the Public Health Emergency
CARES Act Sec. 3222(d)	Provides ACL with flexibility to waive OAA nutritional dietary guidelines for meals provided through Title III-C1 and III-C2	X		The duration of the Public Health Emergency
CARES Act Supplemental Appropriations	States may transfer up to 100% of the \$480 million for nutrition funding appropriated by the CARES Act between congregate and home-delivered meals.			Until September 30, 2021

¹ Declared by Secretary Azar on January 31, 2020 retroactive to January 27th. Subsequently renewed multiple times. See: <https://www.phe.gov/emergency/news/healthactions/phe/Pages/default.aspx>

² States individually apply to FEMA for a Major Disaster Declaration, which is separate from the HHS Public Health Emergency and from the National Emergency Declaration by President Trump. As of April 2020, all 50 states, 5 territories, and the District of Columbia had received such declarations.